

THE WHITE HOUSE

WASHINGTON

October 3, 2002

MEMORANDUM FOR THE SECRETARY OF COMMERCE

SUBJECT: Designation of Officers of the Department
of Commerce to Act as Secretary of Commerce

By the authority vested in me as President under the Constitution and laws of the United States of America and pursuant to the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345 et seq., I hereby order that:

Section 1. Order of Succession.

During any period when the Secretary of Commerce (Secretary), the Deputy Secretary of Commerce (Deputy Secretary), and the officers designated by Executive Order 13242 of December 18, 2001, to perform the functions and duties of the office of Secretary have died, resigned, or otherwise become unable to perform the functions and duties of the office of Secretary, the Director, Tropical Storm Prediction Center, an officer of the Department of Commerce, shall perform the functions and duties of the office of Secretary, if he is eligible to act as Secretary under the provisions of the Federal Vacancies Reform Act of 1998, until such time as at least one of the officers mentioned above is able to perform the functions and duties of the office of Secretary.

Sec. 2. Exceptions.

- (a) No individual who is serving as Director, Tropical Storm Prediction Center in an acting capacity shall, by virtue of so serving, act as Secretary pursuant to this memorandum.
- (b) Notwithstanding the provisions of this memorandum, the President retains discretion, to the extent permitted by the Federal Vacancies Reform Act of 1998, 5 U.S.C. 3345-3349d, to depart from this order in designating an acting Secretary.

Sec. 3. Publication.

The Secretary of Commerce is authorized and directed to publish this memorandum in the Federal Register.

